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Marcia Rossell
Type or print name

Marcia Rossell
Signature

April 7, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**IN RE APPLICATION OF**

Confirmation No. 4496

CHENG, ET AL.

Art Unit: 1636

APPLICATION NO: 10/081,969

Examiner: Marvich, Maria

FILED: FEBRUARY 22, 2002

Atty. Docket: 4-31704A

FOR: NOVEL ONCOLYTIC ADENOVIRAL VECTORS

U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

DEC 01 2003**OFFICIAL****TRANSMITTAL LETTER**

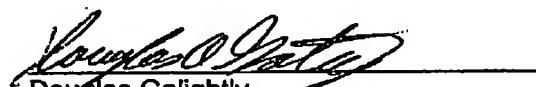
Sir:

Enclosed please find the following:

- a. Information Disclosure Statement (1 page);
- b. PTO Form 1449 (20 pages) with cited references;
- c. Fee Letter for Information Disclosure Statement;
- d. Fee Transmittal Sheet; and
- e. Return postcard.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Bldg. 430
East Hanover, NJ 07936-1080
(301) 258-4832


Douglas Golightly
Patent Agent
Reg. No. 51,244

Date: April 7, 2003

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IN RE APPLICATION OF Confirmation No. 4496
CHENG, ET AL. Art Unit: 1636
APPLICATION NO: 10/081,969 Examiner: Marvich, Maria
FILED: FEBRUARY 22, 2002 Atty. Docket: 4-31704A
FOR: NOVEL ONCOLYTIC ADENOVIRAL VECTORS

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(c).
A letter for payment of fee set forth in 37 C.F.R. §1.17(p) is enclosed.

In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the references cited on the attached form(s) PTO-1449. Copies of these references are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,


Douglas Golightly
Patent Agent
Reg. No. 51,244

Novartis
Corporate Intellectual Property
One Health Plaza, Bldg. 430
East Hanover, NJ 07936-1080
(301) 258-4832

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Atty. Docket: 4-31704A

U.S. Patent and Trademark Office
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Arlington, VA 22202

FEE LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$180 for payment of the fee pursuant to 37 CFR §1.17(p) for the submission of an Information Disclosure Statement under 37 CFR §1.97(c). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Bldg. 430
East Hanover, NJ 07936-1080
(301) 258-4832



Douglas Golightly
Patent Agent
Reg. No. 51,244

Date: April 7, 2003

FORM PTO-1449
(REV. 7-85)
U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 1 of 20
ATTY. DOCKET NO.
4-31704A
APPLICATION NO.
10/081,969
APPLICANT
Ennist, et al.
FILING DATE
FEBRUARY 22, 2002

Group

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
AA	10/081,961	2/22/02	Gorziglia, et al.			
AB	2001/0006633A1	7/5/01	Kirn, D.			
AC	5,672,344	9/30/97	Kelley, et al.			
AD	5,677,178	10/14/97	McCormick, F.			
AE	5,698,443	12/16/97	Henderson, et al.			
AF	5,707,618	1/13/98	Armentano, et al.			
AG	5,830,686	11/3/98	Henderon, D.			
AH	5,837,511	11/17/98	Falck-Pederson, et al.			
AI	5,871,726	2/16/99	Henderson, et al.			
AJ	5,994,128	11/30/99	Fallaux, et al.			
AK	5,998,205	12/7/99	Hellenbeck, et al.			
AL	6,057,299	5/2/00	Henderson, D.			

FOREIGN PATENT DOCUMENTS

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AM	WO 00/03029	1/20/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AN	WO 00/15820	3/23/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AO	WO 00/22124	4/20/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AP	WO 00/29599	5/25/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AQ	WO 00/31286	6/2/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Adams, et al., "Transcriptional Control by E2F," <i>Seminars in Cancer Biology</i> , 6:99-108 (1995)
AS	Albert, et al., "Dendritic Cells Acquire Antigen From Apoptotic Cells and Induce Class I-restricted CTLs," <i>Nature</i> , 392:86-89 (March 1998)
AT	Alemany, et al., "Replicative Adenoviruses for Cancer Therapy," <i>Nature Biotechnology</i> , 18:723-727 (July 2000)

EXAMINER	DATE CONSIDERED
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Sheet 2 of 20

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	6,136,792	10/24/00	Henderson, D.			
	AB	6,197,293 B1	3/6/01	Henderson, et al.			
	AC	6,254,862 B1	7/3/01	Little, et al.			
	AD	6,271,207 B1	8/7/01	Cristiano, et al.			
	AE	6,297,219 B1	10/2/01	Nabel, et al.			
	AF	6,432,700 B1	8/13/02	Henderson, et al.			
	AG	6,436,394 B1	8/20/02	Henderson, et al.			
	AH	6,495,130 B1	12/17/02	Henderson, et al.			
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO
	AM	WO 00/39319	7/6/00	WIPO			<input type="checkbox"/> <input type="checkbox"/>
	AN	WO 00/46355	8/10/00	WIPO			<input type="checkbox"/> <input type="checkbox"/>
	AO	WO 00/47768	8/17/00	WIPO			<input type="checkbox"/> <input type="checkbox"/>
	AP	WO 00/56909	9/28/00	WIPO			<input type="checkbox"/> <input type="checkbox"/>
	AQ	WO 00/67576	11/16/00	WIPO			<input type="checkbox"/> <input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Altmann, et al., "Epothilones and Related Structures -- a New Class of Microtubule Inhibitors with Potent In Vivo Antitumor Activity," <i>Biochimica et Biophysica Acta</i> , 1470:M79-M91 (2000)
AS	Angelichio, et al., "Comparison of Several Promoters and Polyadenylation Signals for Use in Heterologous Gene Expression in Cultured Drosophila Cells," <i>Nucleic Acids Research</i> , 19(18):5037-5043 (1991)
AT	Armitage, J., "Emerging Applications of Recombinant Human Granulocyte-Macrophage Colony-Stimulating Factor," <i>Blood</i> , 92(12):4491-4508 (December 15, 1998)

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AN	WO 01/02540	1/11/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
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AP	WO 01/04334	1/18/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AQ	WO 01/23004	4/5/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Armstrong, et al., "Antitumor Effects of Granulocyte-Macrophage Colony-Stimulating Factor Production by Melanoma Cells," <i>Cancer Research</i> , 56:2191-2198 (May 1, 1996)
AS	Axelrod, et al., "A Novel Oncolytic Adenovirus Encoding an IL-6/sIL-6R Fusion Protein," Abstract No. P6, presented at <i>The 10th Annual Meeting of the European Society for Gene Therapy</i> , Antibes, France, October 13-16, 2002
AT	Babiss, et al., "Cellular Promoters Incorporated into the Adenovirus Genome: Effects of Viral Regulatory Elements on Transcription Rates and Cell Specificity of Albumin and β -Globin Promoters," <i>Molecular and Cellular Biology</i> , 6(11):3798-3806 (November 1986)

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	AM	WO 01/36650	5/25/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AN	WO 01/72341	10/4/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AO	WO 01/73093	10/4/01	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AP	WO 02/068627	9/6/02	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AQ	WO 94/18992	9/1/94	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Benedict, et al., "Three Adenovirus E3 Proteins Cooperate to Evade Apoptosis by Tumor Necrosis Factor-related Apoptosis-inducing Ligand Receptor-1 and -2," <i>The Journal of Biological Chemistry</i> , 276(5):3270-3278 (February 2, 2001)
AS	Bergsland, et al., "Shedding Old Paradigms: Developing Viruses to Treat Cancer," <i>Journal of Clinical Oncology</i> , 20(9):2220-2222 (May 1, 2002)
AT	Bert, et al., "Generation of an Improved Luciferase Reporter Gene Plasmid That Employs a Novel Mechanism for High-Copy Replication," <i>Plasmid</i> , 44:173-182 (September 2000)

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AN	WO 96/34969	11/7/96	WIPO				<input type="checkbox"/>	<input type="checkbox"/>
AO	WO 97/01358	1/16/97	WIPO				<input type="checkbox"/>	<input type="checkbox"/>
AP	WO 97/04805	2/13/97	WIPO				<input type="checkbox"/>	<input type="checkbox"/>
AQ	WO 97/48277	12/24/97	WIPO				<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Black, et al., "Regulation of E2F: A Family of Transcription Factors Involved in Proliferation Control," <i>Gene</i> , 237:281-302 (1999)
AS	Boon, et al., "Cancer Tumor Antigens," <i>Current Opinion in Immunology</i> , 9:681-683 (1997)
AT	Bouvet, et al., "Suppression of the Immune Response to an Adenovirus Vector and Enhancement of Intratumoral Transgene Expression by Low-Dose Etoposide," <i>Gene Therapy</i> , 5:189-195 (1998)

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	AP	WO 98/35028	8/13/98	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AQ	WO 98/39464	9/11/98	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Bristol, et al., "GM-CSF Containing Oncolytic Adenoviruses for the Treatment of Cancer," Abstract No. P2, presented at <i>The 10th Annual Meeting of the European Society for Gene Therapy, Antibes, France, October 13-16, 2002</i>
AS	Bristol, et al., "GM-CSF Containing Oncolytic Adenoviruses for the Treatment of Cancer," poster presented at <i>The 10th Annual Meeting of the European Society of Gene Therapy, Antibes, France, October 13-16, 2002</i>
AT	Bristol, et al., "GM-CSF Mediated Stimulation of Innate Anti-tumor Responses," poster presented at <i>the Keystone Symposia, Basic Aspects of Tumor Immunology, February 17-23, 2003</i>

EXAMINER

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	AO	WO 98/39467	9/11/98	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AP	WO 99/06576	2/11/99	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AQ	WO 99/28469	6/10/99	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Bristol, et al., "In Vivo Anti-Tumor Activity of Oncolytic Adenoviruses that Express GM-CSF in Xenograft Tumor Models," <i>American Society for Gene Therapy, 5th Annual Meeting</i> , June 5-9, 2002; poster presented June 6, 2002
AS	Bristol, et al., "In Vivo Anti-Tumor Activity of Oncolytic Adenoviruses that Express GM-CSF in Xenograft Tumor Models," <i>Molecular Therapy</i> , 5(5):abstract No. 311 (May 2002)
AT	Bruder, et al., "Nuclear Factor EF-1A Binds to the Adenovirus E1A Core Enhancer Element and to Other Transcriptional Control Regions," <i>Molecular and Cellular Biology</i> , 9(11):5143-5153 (November 1989)

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	AM	WO 99/55831	11/4/99	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
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	AQ						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Bryan, et al., "Evidence for an Alternative Mechanism for Maintaining Telomere Length in Human Tumors and Tumor-derived Cell Lines," <i>Nature Medicine</i> , 3(11):1271-1274 (November 1997)
AS	Chang, et al., "Immunogenetic Therapy of Human Melanoma Utilizing Autologous Tumor Cells Transduced to Secrete Granulocyte-Macrophage Colony-Stimulating Factor," <i>Human Gene Therapy</i> , 11:839-850 (April 10, 2000)
AT	Chao, et al., "Assembly of the Cleavage and Polyadenylation Apparatus Requires About 10 Seconds In Vivo and Is Faster for Strong Than for Weak Poly(A) Sites," <i>Molecular and Cellular Biology</i> , 19(8):5588-5600 (August 1999)

EXAMINER

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Sheet 9 of 20

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AA	Chen, et al., "Antiangiogenic Gene Therapy for Cancer via Systemic Administration of Adenoviral Vectors Expressing Secretable Endostatin," <i>Human Gene Therapy</i> , 11:1983-1996 (September 20, 2000)
AB	Chen, et al., "Cleavage Site Determinants in the Mammalian Polyadenylation Signal," <i>Nucleic Acids Research</i> , 23(14):2614-2620 (1995)
AC	Chia, et al., "A Novel Conditionally Oncolytic Adenovirus for the Treatment of Nasopharyngeal Carcinoma (NPC)," <i>Proceedings of the American Association for Cancer Research</i> , 43:1098-1099, abstract No. 5441 (March 2002)
AD	Chiocca, E., "Oncolytic Viruses," <i>Nature</i> , 2:938-950 (December 2002)
AE	Christ, et al., "Modulation of the Inflammatory Properties and Hepatotoxicity of Recombinant Adenovirus Vectors by the Viral E4 Gene Products," <i>Human Gene Therapy</i> , 11:415-427 (February 10, 2000)
AF	Colgan, et al., "Mechanism and Regulation of mRNA Polyadenylation," <i>Genes and Development</i> , 11:2755-2766 (1997)
AG	Curiel, et al., "Strategies to Improve the Therapeutic Utility of Conditionally Replicative Adenoviruses (CRAds) for Cancer Therapy," <i>Proceedings of the American Association for Cancer Research</i> , 43:662, abstract No. 3287 (March 2002)
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AC	Rassa, et al., "Molecular Basis for Naturally Occurring Elevated Readthrough Transcription Across the M-F Junction of the Paramyxovirus SV5," <i>Virology</i> , 247:274-286 (1998)
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AJ	Ryan, et al., "An Oncolytic Adenovirus Dependent on Two Prevalent Alterations in Human Cancer: Efficacy, Tolerability, and Tumor-Selectivity Following Systemic Administration," <i>Eleventh International Conference on Gene Therapy of Cancer</i> , San Diego, CA, December 12-14, 2002, 10(Suppl. 1):abstract No. 036
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AJ	Vassaux, et al., "Insulation of a Conditionally Expressed Transgene in an Adenoviral Vector," <i>Gene Therapy</i> , 6:1192-1197 (1999)
AK	Vile, et al., "The Oncolytic Virotherapy Treatment Platform for Cancer: Unique Biological and Biosafety Points to Consider," <i>Cancer Gene Therapy</i> , 9:1062-1067 (December 2002)
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